

Chapter 2

COMMISSIONS AND BOARDS

Article 1. Standing Committees

§2-101 STANDING COMMITTEES; GENERAL PROVISIONS. At the organizational meeting of the City Council, the Mayor shall appoint members of such standing committees as the City Council may by ordinance, or resolution, create. The membership of such standing committees may be changed at any time by the Mayor. The Mayor shall be a member ex officio of each standing committee. The members of the standing committees shall serve a term of office of one (1) year, unless reappointed.

The following standing committees shall be appointed or reappointed each year until changed by the Governing Body:

1. Light, Water and Sewer
2. Street and Alley
3. Finance and Ordinance
4. Building and Landfill
5. Park and Recreation
6. Police Department Review

(Amended by Ord. No. 395, 10/4/95)

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Article 2. Commissions and Boards

§2-201 LIBRARY BOARD. (1) Members of the Library Board shall be appointed by a majority vote of the members of the City Council at the regular meeting of the Governing Body in December. The Board shall consist of five (5) members who shall be residents of the Municipality, and who shall serve until the expiration of their terms or until their successors have been appointed, whichever is later. Beginning in the year 2009, the members of the Library Board shall serve three (3) year terms of office beginning January 1 of the year for which they were appointed, except that current Board members shall serve for the five (5) year terms for which they were appointed. In case of a vacancy by resignation, removal or otherwise, the City Council shall fill such vacancy for the unexpired term. The Board members shall serve without compensation and may be required, in the discretion of the City Council, to give a bond in a sum set by resolution of the City Council, and conditioned upon the faithful performance of their duties.

(2) At the time of the Board's first (1st) meeting in February of each year, the Board shall organize by selecting from their number a Chairman and Secretary. No member of the Library Board shall serve in the capacity of both the Chairman and Secretary of the Board. It shall be the duty of the Secretary to keep the full and correct minutes and records of all meetings, which shall be available for public inspection at any reasonable time. A majority of the Board members shall constitute a quorum for the transaction of business. The Board shall meet monthly. Special meetings may be held upon the call of the Chairman or any three (3) members of the Board. The Library Board shall have the authority to appoint a librarian and all other employees, to fix their compensation, and to remove such appointees at pleasure. It shall be the duty of the Board to have general charge of the Municipal Library and to establish appropriate rules and regulations for the management, operation, and use of the same.

(3) The Library Board shall have the authority to make and adopt such bylaws, rules and regulations for its own guidance and for

the government of the library as it may deem expedient, which are not inconsistent with the statutes of the State of Nebraska with regard to public libraries, and shall have and exercise such power as may be necessary to carry out the spirit and intent of said statutes.

(4) The Library Board shall, on or before the second (2nd) Monday in February in each year, make a report to the City Council of the condition of its trust on the last day of the prior fiscal year, showing all money received and credited or expended; the number of materials held, including books, video and audio materials, software programs, and materials in other formats; the number of periodical subscriptions on record, including newspapers; the number of materials added and the number withdrawn from the collection during the year; the number of materials circulated during the year; and other statistics, information and suggestions as it may deem of general interest, or as the City Council may require, which report shall be verified by affidavit of the proper officers of such Board. (*Ref. 51-202, 51-204, 51-205, 51-211, 51-213 RS Neb.*) (*Amended by Ord. Nos. 391, 6/7/95; 7-2005, 7/13/05; 7-2008, 8/13/08*)

§2-202 BOARD OF HEALTH. The Governing Body shall appoint a Board of Health which will consist of four (4) members. The members of the Board shall include the Mayor, who shall serve as chairman; a member of the municipal police department or of a law enforcement agency providing law enforcement services to the City, who shall serve as secretary and quarantine officer; a physician who shall serve as the medical advisor; and the President of the City Council. The members of the Board shall serve, without compensation, a one (1) year term of office, unless reappointed, and shall reorganize at the first (1st) meeting in June of each year. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings and to file the same with the Municipal Clerk

where they shall be available for public inspection at any reasonable time. The Board of Health shall be funded by the Governing Body from time to time out of the General Fund. A majority of the Board shall constitute a quorum for the purpose of doing business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the chairman, or any two (2) members of the Board. It shall be the duty of the Board to enact rules and regulations which shall have the full force and effect of law, to safeguard the health of the residents of the Municipality. Included in the duties of the Board shall be to enforce the said rules and regulations, and to provide fines and punishments for any violations thereof. It may regulate, suppress, and prevent the occurrence of nuisances and shall actively enforce all laws of the State of Nebraska and ordinances of the Municipality relating to matters of sanitation which affect the health and safety of the people. The Board shall regularly inspect such premises and businesses as the Governing Body may direct. All members of the Board shall be responsible for making such reports and performing such other duties as the Governing Body may, from time to time, designate. No member of the Board of Health shall hold more than one (1) Board of Health position. *(Ref. 17-121 RS Neb.) (Amended by Ord. No. 410, 5/14/97)*

§2-203 HOSPITAL BOARD. There shall exist a Hospital Board, which shall consist of nine (9) members, selected by the Hospital Board from the citizens at large. The Hospital Board shall have full control over the Wakefield Community Hospital and Health Care Center, a non-profit corporation, and it may establish appropriate rules and regulations for the management, operation and use of the same. The Hospital Board shall make periodic reports to the City Council, at such times as the City Council may designate.

§2-204 BOARD OF PARK COMMISSIONERS. (1) There is hereby created a Board of Park Commissioners, which shall be composed of not less than three (3) members, one (1) of whom shall

be a member of the City Council, and all of whom shall be residents of the City. The Board shall have charge of all parks and recreational facilities belonging to the City and shall have the power to establish rules for the management, care, and use of the same. The Mayor, with the consent of the City Council, shall appoint the members of the Board, who shall serve one (1) year terms of office unless reappointed. The Board shall serve without compensation and may be required, in the discretion of the Governing Body, to give a bond in a sum set by resolution of the Governing Body, and conditioned upon the faithful performance of their duties. At the time of the Board's first meeting in January of each year, the Board shall organize by selecting from their number a chairman and secretary. It shall be the duty of the secretary to keep the full and correct minutes and records of all meetings, and to file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. A majority of the Board members shall constitute a quorum for the transaction of business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon call of the chairman, or any two (2) of the Board members. All actions of the Board shall be subject to the review and control of the Governing Body. The Board shall be responsible for making such reports and performing such other duties as the Governing Body may, from time to time, designate. No member of the Park Board shall serve in the capacity of both the chairman and secretary of the Board.

(2) When the Board members have been appointed and qualified, all accounts against the Park Fund shall be audited by such Board, and warrants against the fund shall be drawn by the Chairman of the Board, and warrants so drawn shall be paid by the City Treasurer out of the Park Fund. *(Ref 17-952 RS Neb.) (Amended by Ord. Nos. 388, 3/1/95; 00-5, 6/7/00; 2-2009, 2/11/09)*

§2-205 CEMETERY BOARD. The Governing Body shall appoint the Cemetery Board which shall consist of six (6) members who are residents of the Municipality and who shall serve without

compensation for a term of three (3) years. Two (2) members shall be appointed each year and may be required in the discretion of the Governing Body, to give a bond in a sum set by resolution of the Governing Body, and conditioned upon the faithful performance of their duties. At the first (1st) meeting in May of each year, the Board shall organize by selecting from its membership a chairman, vice chairman and secretary. The secretary shall keep the full and correct minutes and records of all meetings and file the same with the Municipal Clerk where they shall be available for public inspection at any reasonable time. A majority of the Board members shall constitute a quorum for the purpose of doing business. The Board shall meet at such times as the Governing Body may designate. Special meetings may be held upon the call of the chairman or any three (3) members of the Board. The Board shall have the general care, management, and supervision of the Municipal Cemetery with the power and authority to limit and regulate the number of cemetery lots that may be owned by the same person; to prescribe rules for enclosing, adorning, and erecting monuments and tombstones on cemetery lots; and to prohibit any diverse or improper use thereof; provided, no religious tests shall be made as to the ownership of lots, the burial therein, and the ornamentation of graves. The Board shall pass rules and regulations for the proper use of the Cemetery and prescribe penalties and fines for violations thereof. The Board shall have the power to appoint a suitable Superintendent of the Cemetery and to hire other necessary employees, to fix their compensation and to remove their appointees at pleasure. The Board shall use all revenue received from the sale of lots, gifts, or by devise for the care, management and administration of the Cemetery. All actions of the Board shall be subject to the review and supervision of the Governing Body and it shall be responsible for making such reports and performing such additional duties as the Governing Body may designate. No member of the Governing Body shall serve as a member of the Board while serving a term of office as a member of the

Governing Body. No member of the Cemetery Board shall hold more than one (1) Cemetery Board office. (*Ref. 12-401 through 12-403 RS Neb.*)

§2-206 CEMETERY BOARD, PERPETUAL CARE FUND, SPECIAL CARE TRUSTS. There is hereby established a fund to be known as the "Perpetual Care Fund" into which shall be placed all moneys, securities and property of the Perpetual Care Fund of the Wakefield Cemetery Association transferred to the City. All lots and burial places of the cemetery shall be sold under the perpetual care plan. The Board shall have authority to receive gifts or bequests of money and other personal property, and devises of real estate and interests therein, to be placed in the Perpetual Care Fund. The principal of the Perpetual Care Fund shall be forever held inviolate as a perpetual trust by the City, and shall be maintained separate and distinct from any other funds. The principal of the Perpetual Care Fund shall be invested and from time to time reinvested and kept invested in securities authorized by the laws of Nebraska for the investment of trust funds, and the income therefrom shall be used solely for the general care, maintenance and embellishment of the cemetery, and shall be applied in such manner as the Board may from time to time determine to be for the best interest of the cemetery.

The Board shall be authorized to receive as trustee, moneys, and property, real and personal, in trust, to be known as "Perpetual Special Care Trusts," for the purpose of providing for the care, embellishment or decoration of burial lots, graves, tombs, vaults and other monuments and decorations, to administer, invest, reinvest and perpetuate the same, under such conditions as it may in its discretion by rules and regulations determine, and to enter into contracts with the owners of such graves, vaults, burial lots, or other places for the disposal of the dead, for the perpetual care thereof. Such trusts shall be invested and from time to time reinvested and kept invested in securities authorized by the laws of Nebraska for the investment of trust funds. The income therefrom shall be used solely for the purpose

of perpetual special care as set forth in the respective trust agreements made between the Board and the donors. A separate individual account shall be kept by the Board of each of the perpetual special care trusts so that the condition of each may be determined on the books of the Board at any time; but said Perpetual Special Care Funds may be commingled for investment, in which event the income therefrom shall be divided between the various special care trusts in the proportion that each trust fund contributed to the principal sum so invested.

All funds received from the sale of cemetery lots shall be deposited in the Cemetery Fund (*Amended by Ord. Nos. 3-2003, 6/4/03; 2-2004, 10/6/04*)

§2-207 CEMETERY BOARD; DONATIONS, MORTGAGES.

Any person may make any donations of moneys, lands or property for the benefit of the cemetery, and the title of the property donated may be made to and shall vest in the City for the cemetery and such property shall thereupon be exempt from taxation. The chairman or vice-chairman of the Cemetery Board shall have the power to release, upon full payment, any mortgage constituting a credit to the Cemetery Fund outstanding in the name of such Board and the signature of the chairman or vice-chairman shall be authenticated by the secretary of the Board. The chairman or vice-chairman and secretary in like manner, upon motion duly passed by the Board may renew such mortgage.

§2-208 HOUSING AUTHORITY. The City of Wakefield, Nebraska shall have the authority to create a Housing Authority under the Nebraska Housing Authority Law, sections 71-1518 through 71-1554 Neb. Rev. Stat. (Reissue 1976), as amended for the purposes of: providing persons of low income with affordable, sanitary, safe and uncrowded dwelling accommodations; providing persons of low income with dwellings which otherwise would not be built through the operation of private enterprise; providing elderly and handicapped

persons of low income and persons of low income who are displaced in the rehabilitation, clearance or redevelopment of slums or blighted areas or as a result of government action with housing, and; maintaining a wholesome living for low income persons. (*Ref. 71-1521 RS Neb.*)

§2-209 TREES.

[Editor's Note: For additional provisions regarding trees, see Chapter 8, Article 6]

Section 1. Definitions:

Street Trees: "Street trees" are herein defined as trees, shrubs, bushes and all other woody vegetation on land laying within the City on City right-of-way.

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Park Trees: "Park trees" are herein defined as trees, shrubs, bushes or all other woody vegetation in all public areas owned by the City including parks and other public access streets.

Section 2. Creation and Establishment of a City Tree Board. There is hereby created and established a City Tree Board for the City of Wakefield, Nebraska, which shall consist of five members who are citizens and residents of this City and who shall be appointed by the Mayor with the approval of the Council.

Section 3. Term of Office. The term of the five persons to be appointed by the Mayor shall be three years except that two of the members appointed to the first Board shall be appointed for terms of one year and two members shall be appointed for terms of two years. In the event that a vacancy shall occur during the term of any member, his successor shall be appointed by the Mayor for the unexpired portion of the term.

Section 4. Compensation. Members of the Board shall serve without compensation.

Section 5. Duties and Responsibilities. It shall be the responsibility of the Board to study, investigate, counsel and develop and/or update annually a written plan for the care, preservation, pruning, planting, replanting, removal, or disposition of trees and shrubs in parks, along streets and in other public areas. Such a plan will be presented annually to the City Council and upon their approval shall constitute the official comprehensive City Tree Plan for the City of Wakefield. The Board when requested by the City Council shall consider, investigate, make findings, report and recommend upon any special matter or question coming within the scope of its work.

Section 6. Operation. The Board shall choose its own officers, make its own rules and regulations, and keep a journal of its proceedings. A majority of the members shall be a quorum for the transaction of business.

Section 7. Species to Be Planted. The Board shall prepare and maintain a list of recommended tree and shrub species to be planted in Wakefield and forward such list to the City Council for adoption. Tree or shrub species not included on the tree and shrub species list adopted by the City Council may not be planted on any terrace within the City.

Section 8. Distance from Street Corners. No evergreen street tree shall be planted closer than 35 feet from any street corner, measured from the point of the nearest intersecting curbline.

Section 9. Public Tree Care. The City shall have the right to plant, prune, maintain and remove trees and shrubs within the lines of all streets, alleys, and public grounds, as may be necessary to ensure public safety or to preserve or enhance the symmetry and beauty of such public grounds. This section does not prohibit the planting of street trees by adjacent property owners. (*Ord. No. 335, 1/3/90*) (*Amended by Ord. No. 8-2003, 9/8/03*)

§2-210 COMMUNITY REDEVELOPMENT AUTHORITY.

(1) There is hereby created the Community Redevelopment Authority of the City of Wakefield, Nebraska.

(2) Five (5) interested persons, selected by the Mayor and approved by the City Council, shall constitute the Authority. The Mayor shall designate the term of office for each member, as provided in Neb. Rev. Stat. §18-2102.01. The Authority shall select one (1) of its members as Chairman and one (1) as Vice Chairman. A total of four (4) members of the Authority shall constitute a quorum for the transaction of its business and shall keep a record of its resolutions, transactions, findings and determinations, which records shall be made available for public inspection during regular business hours.

(3) The Authority shall select a person to serve as the Director and Ex Officio Secretary of the Community Redevelopment Authority, and that person shall perform such duties as may be assigned by the Authority, including the necessary administrative functions described in Neb. Rev. Stat. §18-2102.01 et. seq.

(4) All income, revenue, profits, and other funds received by the Authority shall be deposited with the City Treasurer as Ex Officio Treasurer of such Authority without commingling such money with any other money under his or her control and disbursed by check or draft only upon warrants, orders, or requisitions by the Chairman of the Authority or other person authorized by the Authority, which shall state distinctly the purpose for which the same are drawn; and a permanent record shall be kept by the Authority of any such activity. *(Ord. No. 378, 7/13/94) (Amended by Ord. Nos. 2-207, 1/10/07; 3-2015, 4/8/15)*

§2-210.01 COMMISSIONS AND BOARDS; DEPOT BOARD.

There is hereby created a Depot Board which shall consist of not more than twelve (12) members, appointed by the Governing Body from the citizens at large. The Depot Board shall be responsible for the management, operation and use of the Depot Museum, and may establish appropriate rules and regulations therefor. The Depot Board shall make periodic reports to the City Council, at such times as the City Council may designate. *(Ord. No. 4-2012, 5/9/12)*

§2-210.02 COMMISSIONS AND BOARDS; CIVIC CENTER BOARD.

(1) There is hereby created and established a Civic Center Board which shall be composed of nine (9) members. One (1) member shall be a member of the City Council; one (1) member shall be a member of the Gardner Senior Center Board; and the remaining members shall be appointed from among the residents of the City of Wakefield; provided, however, that two (2) of the remaining members may, but are not required to, reside outside of the City limits but within the Wakefield Public School District.

(2) The Board shall have charge of the Wakefield Civic Center facility and grounds and shall have the power to establish rules and regulations for the management, care, operation and use of the same. The Board shall make periodic reports to the City Council at such times as the City Council may designate.

(3) The Mayor, with the consent of the City Council, shall appoint the members of the Board at the regular meeting of the Governing Body in December. Members shall serve without compensation for a term of three (3) years; provided, however, that members appointed to the first Board shall be appointed as follows: three (3) members shall be appointed for a term of three (3) years; three (3) members shall be appointed for a term of two (2) years, and three (3) members shall be appointed for a term of (1) year. At the expiration of the initial term, successor appointments shall be for terms of three (3) years. Initial appointments shall commence upon appointment and approval by the City Council and shall terminate on December 31 in the year of their appointment or until their successors have been appointed, whichever is later. (*Ord. No. 2-2019, 3/20/19*)

§2-211 COMMISSIONS AND BOARDS; UNIFORM APPOINTMENT DATE.

(1) Except as set forth below, the terms of office for appointed members of city boards, commissions, and authorities shall begin in January of the year of appointment.

(2) Terms for appointment to the Library Board shall begin in July, as required by statute, and no term of office shall be extended as for other boards, commissions, and authorities as set forth below.

(3) Terms of office for all members of boards, commissions, and authorities which are due to expire during any month other than January of 1995 shall be extended to January of 1996.

(4) Terms of office for all members of boards, commissions, and authorities which are due to expire during any month other than January of 1996 shall be extended to January of 1997.

(5) Terms of office for all members of boards, commissions, and authorities which are due to expire during any month other than January of 1997 shall be extended to January of 1998.

(6) Terms of office for all members of boards, commissions, and authorities which are due to expire during any month other than January of 1998 shall be extended to January of 1999.

(7) Terms of office for all members of boards, commissions, and authorities which are due to expire during any month other than January of 1999 shall be extended to January of 2000.

(8) Unless an ordinance setting terms of office for members of any new boards, commissions, and authorities specifically state otherwise, the terms of office for initial appointments for said boards, commissions, and authorities made in any month other than January shall begin when the members are appointed and end in January of the year following that in which their term would otherwise expire. (*Ord. No. 384, 1/4/95*)

§2-212 COMMISSIONS AND BOARDS; PLANNING COMMISSION. There is hereby established a planning commission for the City of Wakefield.

(1) *Name.* The name of the planning commission shall be the Wakefield City Planning Commission.

(2) *Members, Term, Removal and Vacancies.* The Commission shall consist of five (5) members who shall represent insofar as is possible different professions or occupations in the City and who shall be appointed by the Mayor, by and with the approval of a three-fourths (3/4) vote of the Council. One of such members may be a resident of the area over which the City is authorized to exercise extraterritorial zoning and subdivision regulations. All members of the Commission shall serve as such without compensation and shall hold no other municipal office except when appointed to serve on the Board of Adjustment as provided in Neb. Rev. Stat. § 19-908. The

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term of each member shall be three (3) years, except that one (1) member of the first Commission to be so appointed shall serve for the term of one (1) year, two (2) for a term of two (2) years and two (2) for a term of three (3) years. All members shall hold office until their successors are appointed. All members may, after a public hearing before the Council, be removed by the Mayor, by and with the consent of three-fourths (3/4) vote of the Council for inefficiency, neglect of duty or malfeasance in office or other good and sufficient cause. Vacancies occurring otherwise than through the expiration of the term shall be filled for the unexpired term by the Mayor. (*Ref. 18-1303 RS Neb.*)

(3) *Organization, Meetings, Rules and Records.* The Commission shall elect its Chairperson from its members and create and fill such other of its offices as it may determine. The term of the Chairperson shall be one (1) year, and the Chairperson shall be eligible for re-election. The Commission shall hold at least one (1) regular meeting in each month. It shall adopt rules for transaction of business and shall keep a record of its resolutions, transactions, findings and determinations, which record shall be a public record. (*Ref. 18-1304 RS Neb.*)

(4) *Funds, and Limits Upon Expenditures.* The City Council may provide the funds, equipment and accommodations necessary for the work of the Commission, but the expenditures of the Commission, exclusive of gifts, shall be within the amounts appropriated for that purpose by the City Council, and no expenditures nor agreements for expenditures shall be valid in excess of such amounts. (*Ref. 18-1305 RS Neb.*)

(5) *Purpose, Duties, Contracts, Contributions, Special Studies, Reimbursement, Conditional Uses or Special Exceptions, When Granted.* (a) It shall be the function and duty of the Commission to make and adopt plans for the physical development of the City, including any areas outside its boundaries which, in the Commission's judgment, bear relation to the planning of the City, and including a comprehensive development plan as defined by Neb. Rev. Stat. § 19-903; to prepare and adopt such implemental means as a capital

improvement program, subdivision regulations, building codes and zoning ordinance in cooperation with other interested City departments; consult and advise with public officials and agencies, public utilities, civic organizations, educational institutions, and citizens with relation to the promulgation and implementation of the comprehensive development plan and its implemental programs. The Commission shall have the power to delegate authority to any such group to conduct studies and make surveys for the Commission; make preliminary reports on its findings; hold public hearings before submitting its final reports. The City Council shall not hold its public meetings or take action on matters relating to the comprehensive development plan, capital improvements, building codes, subdivision development, or zoning until it has received the recommendation of the Planning Commission if the Commission in fact has been created and is existent. The City Council may set a reasonable time within which the recommendation is to be received. A recommendation from the Planning Commission shall not be required for subdivision of existing lots and blocks whenever all required public improvements have been installed, no new dedication of public rights-of-way or easements is involved, and such subdivision complies with the ordinance requirements concerning minimum areas and dimensions of such lots and blocks, if the Governing Body has designated, by ordinance, an agent pursuant to Neb. Rev. Stat. § 19-916.

(b) The Commission may, with the consent of the City Council, in its own name, make and enter into contracts with public or private bodies, receive contributions, bequests, gifts, or grant funds from public or private sources; expend the funds appropriated to it by the Municipality; employ agents and employees; and acquire, hold, dispose of property. The Commission may on its own authority make arrangements consistent with its program; conduct or sponsor special studies or planning work for any public body or appropriate agency; receive grants, remuneration or reimbursement for such studies or work; and at its public hearings, summon witnesses, administer oaths, and compel the giving of testimony.

(c) The Commission may grant conditional uses for special exceptions to property owners for the use of their property if the City

Council has, through a zoning ordinance or special ordinance, generally authorized the Commission to exercise such powers and has approved the standards and procedures the Commission adopted for equitably and judiciously granting such conditional uses or special exceptions. The granting of a conditional use permit or special exception shall only allow property owners to put their property to a special use if it is among those uses specifically identified in the zoning ordinance as classifications of uses which may require special conditions or requirements to be met by the owners before a use permit or building permit is authorized. The power to grant conditional uses or special exceptions shall be the exclusive authority of the Commission, except that the City Council may choose to retain for itself the power to grant conditional uses or special exceptions for those classifications of uses specified in the zoning ordinance. The City Council may exercise such power if it has formally adopted standards and procedures for granting such conditional uses or special exceptions in a manner that is equitable and which will promote the public interest. (*Ref. 18-1306 RS Neb.*)

(6) *Public Meeting Law Requirement.* The Planning Commission shall follow all provisions of the Public Meeting Law. (*Ref. 84-1408 et seq. RS Neb.*)
(*Ord. No. 342, 7/10/71*)

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Article 3. Penal Provision

§2-301 VIOLATION; PENALTY. Any person who shall violate or refuse to comply with the enforcement of any of the provisions of this Chapter, set forth at full length herein or incorporated by reference shall be deemed guilty of a misdemeanor and upon conviction, thereof, shall be fined not more than five hundred (\$500.00) dollars for each offense, recoverable with costs. A new violation shall be deemed to have been committed every twenty-four (24) hours of such failure to comply. *(Ref 17-505 RS Neb) (Amended by Ord. No. 7-2009, 11/11/09)*

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